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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,711	08/09/2001	Ahmad K. Al-Amin	TRW(VSSIM)5574	4802

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EXAMINER

BOTTORFF, CHRISTOPHER

ART UNIT PAPER NUMBER

3618

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/925,711

Applicant(s)

AL-AMIN, AHMAD K.

Examiner

Christopher Bottorff

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 13, 14 and 16-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 and 16 is/are allowed.
- 6) ☒ Claim(s) 10, 14, 17 and 18 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 12.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

The amendment filed June 25, 2003 has been entered. Claims 11, 12, and 15 are canceled. Claims 16-18 are added. Claims 1-10, 13, 14, and 16-18 are pending.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on June 25, 2003 was considered by the examiner.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 recites the limitation "the support portion of the initiator" in line 24.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 10, 14, 17, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Fink US 6,029,995.

Fink discloses an inflator having a container, defined by the walls of chamber 15, which stores inflation fluid 16 under pressure. See Figure 1 and column 2, lines 26-28. The container includes an opening 46 through which inflation fluid flows from the container in a given direction. A rupturable closure member 48 is fixed to the container and blocks the flow of inflation fluid through the opening. An initiator 80 is provided that is capable of rupturing the closure member so inflation fluid may flow from the container. See Figure 4. A retainer 24 retains the initiator on the container and includes a part having a passage 70 that directs gas flowing from the container in the given direction and toward an outlet of the inflator. The gas flowing from the container passes through passage 70 and then passes through the outlet of the retainer. See Figure 2. The retainer includes a portion 146 that may be crimped to retain the initiator in the retainer. See column 3, lines 60-65. A support 84 supports the rupturable closure member and transmits force from the closure member to the retainer, wherein the rupturable closure member has a first portion deformed into engagement with the support by the pressure of the inflation fluid in the container. See column 3, line 66, through column 4, line 15. The support 84 forms a first retainer part and contacts a portion of the initiator at a location adjacent to material 88. The crimped portion 146 of the retainer, which serves as a second retainer part, holds the support 84 against the retainer 24 by exerting

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pressure on flange 112. The crimped portion 146 is also positioned relative to the first retainer part formed by support 84 to clamp a support portion of the initiator (defined by the structure of initiator 80 accommodating electrodes 90) between the support 84 and the crimped portion 146. See Figures 4 and 1.

Claim 18 is rejected under 35 U.S.C. 102(e) as being anticipated by Campbell et al. US 6,412,811.

Campbell et al. discloses an inflator having a container, defined by the walls of chamber 50, which stores inflation fluid under pressure. The container includes an opening through which inflation fluid flows from the container in a given direction. A rupturable closure member 92 is fixed to the container and blocks the flow of inflation fluid through the opening. An initiator 98 is provided that is capable of rupturing the closure member so inflation fluid may flow from the container. A retainer 34 retains the initiator on the container and includes a part having a passage 76 that directs gas flowing from the container in the given direction. The retainer includes a portion 106 that may be crimped to retain the initiator in the retainer. Also, a support 100 supports the rupturable closure member and transmits force from the closure member to the retainer, wherein the rupturable closure member has a first portion deformed into engagement with the support by the pressure of the inflation fluid in the container. The support contacts a portion of the initiator and the crimped portion of the retainer holds the support against the retainer at flange 102. See Figures 2 and 3.

Allowabl Subj ct Matter

Claims 1-9 and 16 are allowed. Claim 1 defines first and second container parts that cooperate to clamp the initiator in position on the container and that both define a fluid outlet through which inflation fluid flows from the opening. Claim 16 defines a deformable covering on the support portion of the initiator. Claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 13 defines the given direction along which the gas flowing through the passage of the retainer and passing through the outlet of the inflator as being a direction parallel to a longitudinal axis of the inflator. These features, in combination with the further limitations of the claims, distinguish the claimed invention over the prior art.

Response to Arguments

Applicant's arguments filed June 25, 2003 have been fully considered but they are not persuasive.

In regard to claim 17, allowable subject matter was previously indicated in claim 12 due to the dependence of claim 12 from claim 11. Claim 17 does not include the allowable limitations of claim 11 and, as a result, does not distinguish over the prior art.

In regard to claim 10, Applicant asserts that Fink does not disclose a retainer having a passage for directing gas flowing in a given direction from a container toward an outlet of the inflator in which the gas flowing from the container passes through the passage of the retainer and passes though the outlet of the inflator in the given

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direction. However, the term "direction" as used in the limitation "in the given direction" does not imply a straight line path that does not bend, curve, or otherwise alter course. Rather, "direction" indicates a path in broad terms without regard to curves or changes in course. Thus, claim 10 does not exclude changes in path of gas flow, and gas flowing from the container of Fink passes through passage 70 and an outlet of the inflator in the same direction.

Conclusion

Applicant's amendment and submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

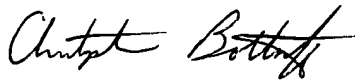
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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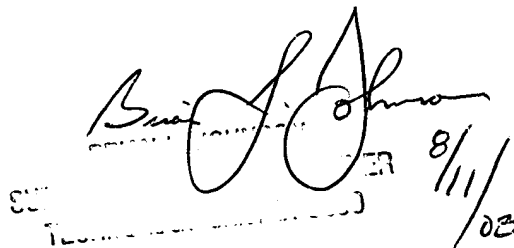
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Bottorff whose telephone number is (703) 308-2183. The examiner can normally be reached on Mon.-Fri. 7:30 a.m. - 4:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Johnson can be reached on (703) 308-0885. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



Christopher Bottorff
August 8, 2003



8/11/03